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Attorneys for Defendant

EAGLE SYSTEMS INTERNATIONAL, INC., dba

SYNERGY COMPANIES (erroneously sued herein as

Synergy Companies and Eagle Systems International, Inc.)

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO

EDWARD I. RUANO,

Petitioner,

v.

SYNERGY COMPANIES, EAGLE
SYSTEMS INTERNATIONAL, INC.,
DEMAND SIDE ENVIRONMENTAL,
LLC., SAL VACCARO, JUAN ORNELAS,
and DOES 1 through 20, Inclusive,,

Defendant.

CASE NO. C07-02679 EMC

(Alameda County Superior Court
Case No. HG 07318073)

**DECLARATION OF STEVEN K. GANOTIS
REGARDING:**

(1) **SERVICE OF PETITION AND
NOTICE OF REMOVAL UPON
PLAINTIFF**

(2) **FILING OF PETITION AND
NOTICE OF REMOVAL AND
NOTICE TO PLAINTIFF IN
ALAMEDA COUNTY SUPERIOR
COURT**

(3) **FILING OF PROOFS OF SERVICE**

I, Steven K. Ganotis, declare as follows:

1. I am an attorney duly licensed to practice before this Court and before all of the courts of the State of California, and I am an associate at the law firm of Payne & Fears LLP, counsel of record for defendant Eagle Systems International, Inc., doing business as Synergy Companies (erroneously sued as "Synergy Companies" and "Eagle Systems International, Inc.")

(hereinafter "Defendant") in this action. I have personal knowledge of the matters set forth in this declaration and, if called as a witness, could and would testify competently thereto.

2. On May 21, 2007, I caused Defendant's Petition and Notice of Removal of Civil Action under 28 U.S.C. §§ 1332 and 1441(b) (the "Notice of Removal") to be filed in this Court. On May 21, 2007, after filing the Notice of Removal in this Court, I caused Defendant's Notice to Clerk of the Alameda County Superior Court of Removal of Civil Action to United States District Court for the Northern District of California (the "Notice to Clerk") to be filed in the Alameda County Superior Court, where this action had been pending. A copy of the Notice of Removal was attached as Exhibit "A" to the Notice to Clerk. A true and correct copy of the Notice to Clerk, file-stamped by the Alameda County Superior Court, is attached as Exhibit "A" hereto.

3. Attached hereto as Exhibit "B" is the Notice to Plaintiff of Removal of Civil Action to United States District Court for the Northern District of California.

4. Attached hereto as Exhibit "C" is a Proof of Service of the Notice of Removal upon Plaintiff.

5. Attached hereto as Exhibit "D" is a Proof of Service of the Notice to Clerk upon Plaintiff.

6. Attached hereto as Exhibit "E" is a Proof of Service of the Notice to Plaintiff upon Plaintiff.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed in San Francisco, California on May 22, 2007.



STEVEN K. GANOTIS

356377.1

PROOF OF SERVICE

*EDWARD I. RUANO v. SYNERGY COMPANIES, EAGLE SYSTEMS INTERNATIONAL, INC.,
LLC., SAL VACCARO, JUAN ORNELAS ET AL.*

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

I am employed in the County of San Francisco, State of California. I am over the age of 18 years and am not a party to the within action; my business address is .

On May 22, 2007, I served the following document(s) described as:

DECLARATION OF STEVEN K. GANOTIS REGARDING: (1) SERVICE OF PETITION AND NOTICE OF REMOVAL UPON PLAINTIFF; (2) FILING OF PETITION AND NOTICE OF REMOVAL AND NOTICE TO PLAINTIFF IN ALAMEDA COUNTY SUPERIOR COURT; (3) FILING OF PROOFS OF SERVICE

on interested parties in this action by placing a true copy thereof enclosed in sealed envelopes as follows:

B. James Fitzpatrick, Esq. Attorneys For Plaintiff
Charles Swanston, Esq.
Daniella Payes, Esq.
FITZPATRICK & SWANSTON
838 South Main Street, Suite E
Salinas, CA 93901

☒ **(BY U.S. Mail)** I am readily familiar with my employer's business practice for collection and processing of correspondence for mailing with the United States Postal Service. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter is more than one day after date of deposit for mailing in affidavit. I deposited such envelope(s) with postage thereon fully prepaid to be placed in the United States Mail at San Francisco, California.

☐ **(By Personal Service)** I delivered by hand on the interested parties in this action by placing the above mentioned document(s) thereof in envelope addressed to the office of the addressee(s) listed above or on attached sheet.

☐ **(By Facsimile)** I served a true and correct copy by facsimile pursuant to C.C.P. 1013(e), calling for agreement and written confirmation of that agreement or court order, to the number(s) listed above or on attached sheet. Said transmission was reported complete and without error.

☐ **(By E-Mail)** I transmitted a copy of the foregoing documents(s) via e-mail to the addressee(s).

☒ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 22, 2007, at San Francisco, California.


BLISS BIRCHETT